

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IRENA K. MAUSNER, *individually and as trustee of the* :
IRENA K. MAUSNER REVOCABLE TRUST U/A/D :
MAY 16, 2022, :
: 23-CV-994 (JMF)
Plaintiff, :
: ORDER
-v- :
: IAN O. MAUSNER, :
: Defendant. :
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JESSE M. FURMAN, United States District Judge:

The time of the initial pretrial conference in this case, scheduled for **May 24, 2023**, *see* ECF No. 31, is hereby CHANGED to at **4:00 p.m.** To join the conference, the parties must call the Court's dedicated conference line at (888) 363-4749 and use access code 542-1540, followed by the pound (#) key. Counsel for any represented party should review and comply with the rules regarding teleconferences in the Court's Individual Rules and Practices in Civil Cases, including Rule 3(B)(i), which requires counsel, **no later than 24 hours before the conference**, to send an email to the Court with the names and honorifics (e.g., Mr., Ms., Dr., etc.) of anyone who is expected to speak during the teleconference and the telephone numbers from which they expect to join the call.

Additionally, and notwithstanding the Court's February 7, 2023 Order, ECF No. 9, the parties are directed to confer with each other prior to the conference regarding settlement and each of the other subjects to be considered at a Federal Rule of Civil Procedure 16 conference and, by **May 18, 2023**, to each submit a letter, not to exceed five (5) pages, providing the following information in separate paragraphs:

- (1) A brief statement of the nature of the action and the principal defenses thereto;
- (2) A brief explanation of why jurisdiction and venue lie in this Court. In any action in which subject matter jurisdiction is founded on diversity of citizenship pursuant to Title 28, United States Code, Section 1332, the letter must explain the basis for the parties' belief that diversity of citizenship exists. Where any party is a corporation, the letter shall state both the place of incorporation and the principal place of business. In cases where any party is a partnership, limited partnership, limited liability company, or trust, the letter shall state the citizenship of each of the entity's members, shareholders, partners, and/or trustees. *See, e.g.*,

Handelsman v. Bedford Vill. Assocs. L.P., 213 F.3d 48 (2d Cir. 2000).

- (3) A statement of all existing deadlines, due dates, and/or cut-off dates;
- (4) A brief description of any outstanding motions;
- (5) A brief description of any discovery that has already taken place and of any discovery that is necessary for the parties to engage in meaningful settlement negotiations;
- (6) A list of all prior settlement discussions, including the date, the parties involved, and the approximate duration of such discussions, if any;
- (7) A statement confirming that the parties have discussed the use of alternate dispute resolution mechanisms and indicating whether the parties believe that (a) a settlement conference before a Magistrate Judge; (b) participation in the District's Mediation Program; and/or (c) retention of a privately retained mediator would be appropriate and, if so, when in the case (e.g., within the next sixty days; after the deposition of plaintiff is completed; after the close of fact discovery; etc.) the use of such a mechanism would be appropriate; and
- (8) Any other information that the parties believe may assist the Court in advancing the case to settlement or trial, including, but not limited to, a description of any dispositive issue or novel issue raised by the case.

As Defendant has indicated he intends to proceed *pro se*, see, e.g., ECF No. 27, the Clerk of Court is directed to update the docket accordingly and to list Defendant's address as 501 West Broadway, Suite A413, San Diego, CA 92101. The Clerk of Court is further directed to mail a copy of this Order to Defendant at the aforementioned address.

SO ORDERED.

Dated: May 15, 2023
New York, New York



JESSE M. FURMAN
United States District Judge